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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	L A P C No.	I A P (C)			
	Application No.	Applicant(s)			
Office Action Comment	10/612,156	MENON ET AL.			
Office Action Summary	Examiner	Art Unit			
TI MANUNO DATE CUI	CHRISTINE DUONG	2462			
The MAILING DATE of this communication app Period for Reply	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tir will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. mely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status					
 Responsive to communication(s) filed on 12 January 2010. This action is FINAL. 2b) This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
4) ☐ Claim(s) 1-11 and 18 is/are pending in the app 4a) Of the above claim(s) is/are withdray 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-11 and 18 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	vn from consideration.				
Application Papers					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the examine Replacement drawing sheet(s) including the correct and the correct of the examine The oath or declaration is objected to by the Examine 10.	epted or b) objected to by the drawing(s) be held in abeyance. Se ion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).			
		7,100,011 01 1011111 1 0 102.			
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
Attachment(s) 1) ☒ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate			

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 January 2010 has been entered.

Response to Amendment

This is in response to the Applicant's arguments and amendments filed on 12 January 2010 in which claims 1-11, 18 are currently pending.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-2, 8-11, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vikberg et al. (US Patent No. 6,925,074 B1 hereafter Vikberg) in view of Abrol et al. (PG Pub US 2003/0007479 A1 hereafter Abrol), Camille et al. (US Patent No. 7,061,917 B1 hereafter Camille), Sundar et al. (PG Pub US 2003/0134636 A1 hereafter Sundar).

Regarding claim 1, Vikberg discloses a method implemented in a wireless transmit/receive unit (WTRU) for use in wireless communications.

establishing a bidirectional internet protocol (IP) link between the WTRU and a core network to allow service operation parameter negotiation prior to network selection ("The radio interface may utilise any suitable unlicensed radio protocol, for example a wireless LAN protocol or Digital Enhanced Cordless Telecommunications (DECT). Preferably, however, Bluetooth radio is utilised, which has a high bandwidth and lower power consumption than conventional public mobile network radio" column 4 lines 57-62; note that the reference continues for the rest of the patent by using Bluetooth but implies that wireless LAN can be used – for the purpose of this reference, Bluetooth will be replaced for wireless LAN), the IP link separate from any transport network layer ("The unlicensed radio interface 370 is run in parallel with the GSM radio interface 350" column 8 lines 32-33 and "such unlicensed radio technologies must be low power and thus of limited range compared to licensed mobile radio services" column 4 lines 51-53).

transmitting a request for service level system information over the bidirectional IP link to the core network ("When a call is active, the Bluetooth radio resource sublayer 360 also sends a message for delivery to the home base station HBS 104 which is conveyed to the home base station controller HBSC 105. If handover is required, a HANDOVER REQUIRED message is generated with the cell identity of the GSM cell previously delivered written into this message. This message is sent to the mobile services switching centre MSC 202 as shown at event 3. The MSC 202 then sends a

HANDOVER request to a base station controller BSC 102 of the identified base transceiver station 103 in event 4" column 12 lines 11-24").

receiving the requested service level system information over the bidirectional IP link ("In event 7 the base station controller BSC 102 sends an acknowledgement of the HANDOVER request to the MSC 202, which in turn sends a HANDOVER command to the home base station controller HBSC 105 in event 8 for transmission to the home base station HBS 104 in event 9. The home base station HBS 104 sends a HANDOVER command to the mobile terminal MT 1 in event 10. This is received by the Bluetooth radio resource sub-layer 360 and passed via the service co-ordination sub-layer 330 to the radio resource sub-layer 340 above the GSM radio module 350" column 12 lines 28-38).

negotiation at least one service operation parameter based on the received service level system information ("starts to send handover access bursts over the Um interface to the base transceiver station BTS 103 in event 11. These are detected in the normal way by the base transceiver station BTS 103 which reports detection to the MSC 202 via the base station controller BSC 102 in events 12 and 13. The link is then established between the base station transceiver BTS 103 and the mobile terminal MT 1 and after the base station transceiver BTS 103 has sent an establish indication message to the base station controller BSC 202, the handover is completed and an acknowledgement sent by the base transceiver station BTS 103 to the base station controller BSC 202 and by the base station controller BSC to the MSC 202 in events 15 and 16" column 12 lines 38-51).

selecting a network based on the at least one negotiated service operation parameter ("The MSC 202 then switches to the new path" column 12 lines 51-52).

However, Vikberg does not explicitly disclose a bidirectional IP link and the IP link separate from any transport network layer.

Nevertheless, Abrol discloses "network layer protocols 206, 215, 218, 230 (i.e., the IP layer protocols) use the Internet Protocol Control Protocol (IPCP) (see flow arrow (2) of FIG. 3) to negotiate the IP protocol on the PPP links to achieve the end-to-end connection between TE2 device 102 and IWF 108. IPCP is a part of a family of Network Control Protocols (NCPs) that are part of the PPP protocol" (Abrol [0023]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have a bidirectional IP link and the IP link separate from any transport network layer because "IPCP utilizes configuration request messages to negotiate various configuration options" (Abrol [0024]).

However, Vikberg, Abrol does not explicitly disclose transmitting a request for service level system information, receiving the requested service level system information and negotiating at least one service operation parameter.

Nevertheless, Camille discloses "In order to request a specific service level specification, the service level requesting means SL_R_M of the personal computer DTE sends an Internet Protocol Control Protocol request towards the network access server DRE for assigning another service level for sending data... Subsequently the service level negotiating and proposing means SL_NP_M hands the propose over to the service level proposal sending means SLP_R_M that in its turn sends an Internet

Protocol Control Protocol message that contains the relevant parameters of the propose for the service level to the service level propose receiving means SLP_R_M of the data transmitting element DTE which receives the Internet Protocol Control Protocol propose for the service level... The service level propose renegotiating means SLP_RN_M receives the forwarded service level propose from the service level propose receiving means SLP_R_M and subsequently checks if this Internet Protocol Control Protocol propose for the service level is satisfying. If not satisfying the service level propose renegotiating means SLP_RN_M formulates another request for the desired service level and forwards this towards the service level requesting means SL_R_M that in its turn further handles the request" (Camille column 4 lines 4-42).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to transmit a request for service level system information, receive the requested service level system information and negotiate at least one service operation parameter because "in a phase of this connection establishment, Internet Protocol Control messages, further referred to as IPCP-message are sent towards the network access server DRE to negotiate several connection-parameters" (column 3 lines 60-63).

In addition, Vikberg, Abrol, Camille discloses everything claimed as applied above. However, Vikberg, Abrol, Camille does not explicitly disclose selecting a network based on the at least one negotiated service operation parameter.

Nevertheless, Sundar discloses "a Mobile Station to Sense and Select a Wireless Local Area Network (WLAN) or a Wide Area Mobile Wireless Network (WWAN)" (Sundar [0020]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to select a network based on the at least one negotiated service operation parameter because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

Regarding claim 2, Vikberg, Abrol, Camille discloses everything claimed as applied above (see claim 1). However, Vikberg, Abrol does not explicitly disclose the request comprises a specific configuration, and the requested service level system information is received in the specific configuration.

Nevertheless, Camille disclose "Internet Protocol Control Protocol request ...

Internet Protocol Control Protocol message" (Camille column 4 lines 6-7 and 25).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the request comprises a specific configuration, and the requested service level system information is received in the specific configuration because of engineering design choice and because "the service level specification negotiation and the adaptation is performed in a more efficient way" (Camille column 1 lines 40-42).

Regarding claim 8, Vikberg, Abrol, Camille discloses everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille does not explicitly

disclose the request includes information regarding a first and second primary station; and the WTRU switches to the second primary station in response thereto.

Nevertheless, Sundar discloses "FIG. 15 shows the case of the mobile station 310 roaming from a WWAN 100 to WLAN 200 environment. The mobile station 310 senses the RF strength in the proximity of the WLAN and decides to start using the WLAN environment, thus initiating a registration request" (Sundar [0080]) and "when the mobile station 310 roams in the WLAN 200, it continues to sense the RF energy strength of the WWAN 100 and WLAN 200" (Sundar [0069]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the request include information regarding a first and second primary station; and the WTRU switch to the second primary station in response thereto because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

Regarding claim 9, Vikberg, Abrol, Camille discloses everything claimed as applied above (see claim 8). However, Vikberg, Abrol, Camille does not explicitly disclose the first primary station is a UMTS system and the second primary station is a WLAN.

Nevertheless, Sundar discloses the first primary station is a UMTS system (WWAN 100, fig. 15) and the second primary station is a WLAN (WLAN 200, fig. 15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the first primary station is a UMTS system

and the second primary station is a WLAN because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

Regarding claim 10, Vikberg, Abrol, Camille discloses everything claimed as applied above (see claim 9). However, Vikberg, Abrol, Camille does not explicitly disclose the WTRU measures the strength of signals transmitted from the primary station and from the second primary station, and switches to said second station when the strength of the signal from the second station exceeds a predetermined signal strength level.

Nevertheless, Sundar discloses "when the mobile station 310 roams in the WLAN 200, it continues to sense the RF energy strength of the WWAN 100 and WLAN 200" (Sundar [0069]) and "If it detects that the WLAN RF strength decreases below some threshold value and the WWAN strength is above a threshold value, it initiates a registration process with the macro (WWAN) network 100" (Sundar [0069]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the WTRU measure the strength of signals transmitted from the primary station and from the second primary station, and switch to said second station when the strength of the signal from the second station exceeds a predetermined signal strength level because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

Regarding claim 11, Vikberg, Abrol, Camille discloses everything claimed as applied above (see claim 8). However, Vikberg, Abrol, Camille does not explicitly disclose the primary station is a WLAN and the second primary station is a UMTS system.

Nevertheless, Sundar discloses "FIG. 8 shows the movement of a mobile station 310 from a WLAN environment 200 to a WWAN environment 100. The mobile station 310 registers in the WWAN environment 100 as it roams from the WLAN 200 into the WWAN. Likewise the appropriate handoff must be made as well. The mobile station 310, using the network sensing method described above, infers that it needs to register with the WWAN environment" (Sundar [0074]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have the primary station is a WLAN and the second primary station is a UMTS system because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

Regarding Claim 18, Vikberg discloses a wireless transmit/receive unit (WTRU).

a transmitter configured to transmit a request for service level system information ("When a call is active, the Bluetooth radio resource sub-layer 360 also sends a message for delivery to the home base station HBS 104 which is conveyed to the home base station controller HBSC 105. If handover is required, a HANDOVER REQUIRED message is generated with the cell identity of the GSM cell previously delivered written into this message. This message is sent to the mobile services switching centre MSC

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202 as shown at event 3. The MSC 202 then sends a HANDOVER request to a base station controller BSC 102 of the identified base transceiver station 103 in event 4" column 12 lines 11-24") over a bidirectional internet protocol (IP) link at the WTRU ("The radio interface may utilise any suitable unlicensed radio protocol, for example a wireless LAN protocol or Digital Enhanced Cordless Telecommunications (DECT). Preferably, however, Bluetooth radio is utilised, which has a high bandwidth and lower power consumption than conventional public mobile network radio" column 4 lines 57-62; note that the reference continues for the rest of the patent by using Bluetooth but implies that wireless LAN can be used – for the purpose of this reference, Bluetooth will be replaced for wireless LAN).

a receiver configured to receive the requested service level system information over the bidirectional IP link ("In event 7 the base station controller BSC 102 sends an acknowledgement of the HANDOVER request to the MSC 202, which in turn sends a HANDOVER command to the home base station controller HBSC 105 in event 8 for transmission to the home base station HBS 104 in event 9. The home base station HBS 104 sends a HANDOVER command to the mobile terminal MT 1 in event 10. This is received by the Bluetooth radio resource sub-layer 360 and passed via the service coordination sub-layer 330 to the radio resource sub-layer 340 above the GSM radio module 350" column 12 lines 28-38).

a processor configured to negotiate, via the bidirectional IP link, at least one service operation parameter based on the received service level system information ("starts to send handover access bursts over the Um interface to the base transceiver

station BTS 103 in event 11. These are detected in the normal way by the base transceiver station BTS 103 which reports detection to the MSC 202 via the base station controller BSC 102 in events 12 and 13. The link is then established between the base station transceiver BTS 103 and the mobile terminal MT 1 and after the base station transceiver BTS 103 has sent an establish indication message to the base station controller BSC 202, the handover is completed and an acknowledgement sent by the base transceiver station BTS 103 to the base station controller BSC 202 and by the base station controller BSC to the MSC 202 in events 15 and 16" column 12 lines 38-51).

select a network based on the at least one negotiated service operation parameter ("The MSC 202 then switches to the new path" column 12 lines 51-52).

However, Vikberg does not explicitly disclose a bidirectional IP link and the IP link separate from any transport network layer.

Nevertheless, Abrol discloses "network layer protocols 206, 215, 218, 230 (i.e., the IP layer protocols) use the Internet Protocol Control Protocol (IPCP) (see flow arrow (2) of FIG. 3) to negotiate the IP protocol on the PPP links to achieve the end-to-end connection between TE2 device 102 and IWF 108. IPCP is a part of a family of Network Control Protocols (NCPs) that are part of the PPP protocol" (Abrol [0023]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have a bidirectional IP link and the IP link separate from any transport network layer because "IPCP utilizes configuration request messages to negotiate various configuration options" (Abrol [0024]).

However, Vikberg, Abrol does not explicitly disclose transmit a request for service level system information, receive the requested service level system information and negotiate at least one service operation parameter.

Nevertheless, Camille discloses "In order to request a specific service level specification, the service level requesting means SL R M of the personal computer DTE sends an Internet Protocol Control Protocol request towards the network access server DRE for assigning another service level for sending data... Subsequently the service level negotiating and proposing means SL NP M hands the propose over to the service level proposal sending means SLP_R_M that in its turn sends an Internet Protocol Control Protocol message that contains the relevant parameters of the propose for the service level to the service level propose receiving means SLP R M of the data transmitting element DTE which receives the Internet Protocol Control Protocol propose for the service level... The service level propose renegotiating means SLP RN M receives the forwarded service level propose from the service level propose receiving means SLP R M and subsequently checks if this Internet Protocol Control Protocol propose for the service level is satisfying. If not satisfying the service level propose renegotiating means SLP RN M formulates another request for the desired service level and forwards this towards the service level requesting means SL R M that in its turn further handles the request" (Camille column 4 lines 4-42).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to transmit a request for service level system information, receive the requested service level system information and negotiate at

least one service operation parameter because "in a phase of this connection establishment, Internet Protocol Control messages, further referred to as IPCP-message are sent towards the network access server DRE to negotiate several connection-parameters" (column 3 lines 60-63).

In addition, Vikberg, Abrol, Camille discloses everything claimed as applied above. However, Vikberg, Camille does not explicitly disclose selecting a network based on the at least one negotiated service operation parameter.

Nevertheless, Sundar discloses "a Mobile Station to Sense and Select a Wireless Local Area Network (WLAN) or a Wide Area Mobile Wireless Network (WWAN)" (Sundar [0020]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to select a network based on the at least one negotiated service operation parameter because "this facilitates the internetworking of WLANs and WWANs and facilitates the use of multimode mobile stations that can selectively communicate with either a WLAN or a WWAN" (Sundar [0020]).

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vikberg, Abrol, Camille, Sundar further in view of Rappaport et al. (US Patent No. 7,055,107 B1 hereafter Rappaport).

Regarding claim 3, Vikberg, Abrol, Camille, Sundar disclose everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille, Sundar does not explicitly disclose the specific configuration includes billing information.

Nevertheless, Rappaport teaches "one or more parameters of the desirable configuration is billing information" (Rappaport et al. column 25 lines 49-57).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include billing information in the specific configuration because of engineering design choice and versatility of the information option.

Regarding claim 4, Vikberg, Abrol, Camille, Sundar disclose everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille, Sundar does not explicitly disclose the specific configuration includes security information.

Nevertheless, Rappaport teaches "one or more parameters of the desirable configuration is security" (Rappaport et al. column 25 line 49-55).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include security information in the specific configuration because engineering design choice and versatility of the information option.

5. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vikberg, Abrol, Camille, Sundar in view of Ramos et al. (US Patent No. 7,072,663 B2 hereafter Ramos).

Regarding claim 5, Vikberg, Abrol, Camille, Sundar disclose everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille, Sundar does not explicitly disclose the specific configuration includes service ability.

Nevertheless, Ramos discloses "This configuration information should preferably include the cell capabilities. For example this would include information as to whether if a particular cell is supporting GPRS (general packet radio service) and/or EDGE (8-PSK modulation) in GSM" column 6, lines 31-36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include service ability in the specific configuration because of engineering design choice and versatility of the information option.

Regarding claim 6, Vikberg, Abrol, Camille, Sundar disclose everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille, Sundar does not explicitly disclose the specific configuration includes the congestion status of the system.

Nevertheless, Ramos discloses "Current traffic load of the cell" column 5 line 15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include congestion status of the system in the specific configuration because of engineering design choice and versatility of the information option.

Regarding claim 7, Vikberg, Abrol, Camille, Sundar disclose everything claimed as applied above (see claim 2). However, Vikberg, Abrol, Camille, Sundar does not explicitly disclose the specific configuration includes the data rates supported by the system.

Nevertheless, Ramos discloses "QoS requirements, such as a guaranteed throughput requirement should be taken into account when selecting the optimum cell.

Throughput can be measured as number of bits (or data bits) transferred in one direction across a section per unit time (e.g. bps)" column 6 lines 57-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include data rates supported by the system of the system in the specific configuration because of engineering design choice and versatility of the information option.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE DUONG whose telephone number is (571)270-1664. The examiner can normally be reached on Monday - Friday: 830 AM-6 PM EST with first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Seema S. Rao/ Supervisory Patent Examiner, Art Unit 2462

/Christine Duong/ Examiner, Art Unit 2462 02/23/2010